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PATENTS, TRADEMARKS & RELATED INTELLECTUAL PROPERTY MATTERS

Docket: 03/118

Date: September 01, 2005

Hon. Commissioner of Patents and Trademarks
Alexandria, VA 22313-1450

In re Application of:

Max Harry Weil, et al.

Serial No.: 10/620,481 Group Art Unit: 3764

Filed: July 16, 2003 Examiner: Danton Demille

For: CONTROLLED CHEST COMPRESSOR

Dear Sir or Madam:

Enclosed are the following:

1. Response To Examiner's "Response To Reply" dated 08/16/05 (3 Copies)
2. Return Postcard.

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 06-1985.

I hereby certify that this correspondence is being deposited with the United States Postal service as First Class mail in an envelope addressed to: Mail Stop Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on September 01, 2005.

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Reg. No. 21,077

LDR/ks
Encl.
cc: Joe Bisera

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Max Harry Weil, et al.

Serial No.: 10/620,481

Filed: July 16, 2003

For: Controlled Chest Compressor

Group Art Unit: 3764

Examiner: Danton DeMille

RESPONSE TO EXAMINER'S "RESPONSE TO REPLY BRIEF" dated August 16, 2005

Hon. Commissioner for Patents

Alexandria, VA 22313-1450

August 31, 2005

Los Angeles, CA 90024

Applicant's second piston (66 in applicant's Fig. 2) reduces overall piston length, but only during storage, as when an emergency worker carries it to the patient. However, the second piston increases the stroke length during chest compression. This is the best of both worlds (in storage and in chest compression).

In the Response to Reply Brief, the Examiner argues (his page 2, lines 3-5) that in Nowakowski's "since the second piston moves up to shorten the downward stroke it would reduce the height of the actuator". His actuator height is reduced only during chest compression. Nowakowski's actuator is longer during storage and gives a shorter stroke during chest compression. This is the very worst of both worlds (too long to easily store and too short a chest compression stroke).

In his second paragraph, the Examiner is referring to Nowakowski's crankshaft for reciprocating his piston, compared to applicant's fluid pressure. Applicant agrees that using fluid pressure to drive a piston is known. The Examiner then says "Nowakowski is merely cited to teach the secondary piston

within the outer piston part for allowing the actuator to yield. Applicant's second piston part (66) is not provided to yield, but to extend the thrust length, which is the opposite of yield.

Respectfully submitted,

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